

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAY 28 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Federal-State Joint Board on)
Universal Service)
)
NEXTEL PARTNERS OF UPSTATE NEW)
YORK, INC. d/b/a NEXTEL PARTNERS)
)
)
Petition for Designation as an)
Eligible Telecommunications Carrier)
in the State of New York)
_____)

CC Docket 96-45

Amendment

NPCR, Inc. d/b/a Nextel Partners and Nextel Partners of Upstate New York, Inc. (collectively, "Nextel Partners"), by undersigned counsel and pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (the "Act"), hereby submit this "Amendment" to Nextel Partners' Petition for Designation ("Petition") as an eligible telecommunications carrier ("ETC") in the State of New York, filed on April 3, 2003.

The instant filing makes two changes to the Petition as originally filed: first, it amends the name of the Nextel Partners entity from "NPCR, Inc. d/b/a Nextel Partners" to "Nextel Partners of Upstate New York, Inc. d/b/a Nextel Partners," thereby updating the Petition to accurately reflect the status of the company's current corporate organization in the State of New York.¹ An updated declaration of Nextel Partners' Vice President and General Counsel, Donald J. Manning, is submitted on behalf of the amended corporate entity.

Second, this Amendment submits a substitute "Attachment 1" to the Petition, which sets forth the wire centers of the two non-rural LEC study areas covered by Nextel Partners: Verizon

¹ The caption to this Amendment has been altered to reflect the name of the amended Nextel Partners corporate entity.

(SAC 155130) and Frontier-Rochester (SAC 150121). This amended "Attachment 1" supersedes all prior versions, and should be associated with Nextel Partners' Petition. The Petition as originally filed did not separately identify the non-rural LEC wire centers covered by Nextel Partners, and purported to cover only rural telephone company study areas. With this Amendment and the amended "Attachment 1," the original Petition is clarified to reflect that Nextel Partners is also seeking designation as an Eligible Telecommunications Carrier for certain wire centers of specified non-rural LEC study areas in the State of New York.

With the exception of the two modifications stated above, all other substantive matters in the original Petition remain the same, and are herewith incorporated by reference.

Good cause exists for the acceptance of this Amendment: as was the case with the original petitioning entity, Nextel Partners of Upstate New York, Inc. is a wholly-owned indirect subsidiary of Nextel Partners, Inc., both firms "do business as" Nextel Partners, and Donald J. Manning is Vice-President and General Counsel of both companies. Consequently, the amendment to the new entity is not a substantive change, but merely *pro forma*. In addition, the amendment of "Attachment 1" to the Petition clarifies that both Verizon and Frontier-Rochester are non-rural LECs, and sets forth the wire centers of each that Nextel Partners covers.

Accordingly, Nextel Partners requests that the Petition be amended to reflect the changes submitted with this Amendment.

Respectfully submitted,

NCPR, INC. d/b/a NEXTEL PARTNERS

NEXTEL PARTNERS OF UPSTATE NEW
YORK, INC. d/b/a NEXTEL PARTNERS

By 

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Date: May 28, 2003

ATTACHMENT 1

1. Rural telephone company study areas for which Nextel Partners seeks ETC designation

150071	ARMSTRONG TEL CO-NY
150072	FRONTIER-AUSABLE VAL
150073	BERKSHIRE TEL CORP
150076	CASSADAGA TEL CORP
150077	CHAMPLAIN TEL CO
150078	CHAUTAUQUA & ERIE
150079	CHAZY & WESTPORT
150081	CITIZENS HAMMOND NY
150084	TACONIC TEL CORP
150085	CROWN POINT TEL CORP
150088	DELHI TEL CO
150089	DEPOSIT TEL CO
150091	DUNKIRK & FREDONIA
150092	EDWARDS TEL CO
150093	EMPIRE TEL CORP
150097	GERMANTOWN TEL CO
150099	HANCOCK TEL CO
150104	MARGARETVILLE TEL CO
150105	MIDDLEBURGH TEL CO
150106	ALLTEL NY-FULTON
150107	NEWPORT TEL CO
150110	OGDEN TEL CO
150111	ONEIDA COUNTY RURAL
150112	ONTARIO TEL CO, INC.
150113	ALLTEL NY-RED JACKET
150114	ORISKANY FALLS TEL
150116	PATTERSONVILLE TEL
150118	PORT BYRON TEL CO
150122	FRONTIER-SENECA GORH
150125	STATE TEL CO
150128	FRONTIER-SYLVAN LAKE
150129	TOWNSHIP TEL CO
150131	TRUMANSBURG TEL CO.
150133	VERNON TEL CO
150135	WARWICK VALLEY-NY
154532	CITIZENS TELECOM-NY
154533	CITIZENS-RED HOOK
154534	CITIZENS-WEST. CNTY

2. Non-Rural LEC Wire Centers for which Nextel Partners seeks ETC designation

155130 (Verizon New York)

AKRNNYAK	BLRVNYBC	CMBRNYCM	DLMRNYDA	FSVLNYFL
ALBNNYAI	BNGHNYHY	CMDNNYZM	DLSNNYDL	FTANNYFA
ALBYNYGD	BNGHNYRO	CMLSNYID	DNKRNYDK	FYTTNYFY
ALBYNYSS	BNVDNYBD	CMLSNYON	DNMRNYDN	FYVLNYFV
ALBYNYWA	BRKRNYBK	CMPBNYCP	DRBYNYDB	GDISNYGI
ALDNNYAD	BRPTNYBP	CNBRNYCD	DRPKNYDP	GENVNYGN
ALMTNYAL	BRWDNYBW	CNSRNYCX	DVPTNYDT	GLFLNYGF
AMBRNYAB	BSTNNYBN	CNSTNYZA	EAURNYEA	GLWYNYGW
AMHRNYMP	BYRNNYBY	CNTNNYZO	EDENNYED	GNBGNYFV
AMSTNYPE	CAIRNYCA	CNTTNYCI	EDTNNYET	GNWCNYGW
ANGLNYAO	CBLSNYZB	CPNHNYZP	EGLVNYGL	GRCTNYGC
ARCDNYAE	CHCKNYCE	CPTWNYZW	EGNBNYEG	GRCYNYGC
ARGYNYAY	CHKTNYFR	CRLDNYCR	ELBANYEB	GRLKNYGL
ARPTNYAR	CHTGNYZH	CRNGNYCG	ELCVNYEV	GRNKNYGN
ATTCNYAT	CHVYNYZV	CRNWNYSW	ELDPNYEU	GRTNNYGT
AUBNNYAU	CICRNYCJ	CRTHNYZG	ELVLNYEL	GRVGNYGV
AVOCNYAC	CLAYNYOS	CSTNNYCS	EMIRNYEM	GRVINYGE
AVPKNYAV	CLCNNYCN	CTBRNYCB	ENDCNYEN	GSPTNYGP
AXBANYAX	CLCRNYCC	CTCHNYCU	ESPRNYER	GVRNNYGO
BALSNYBA	CLCTNYCC	CTNGNYCH	EVMLNYEI	GWNDNYGD
BATHNYBH	CLEVNYCE	CTONNYZN	FABSNYFB	HBRTNYHZ
BATVNYBT	CLNCNYBA	CTRGNYSO	FLBGNYFB	HCVLNYHV
BAVLNYBV	CLPKNYCP	CTSKNYCT	FLPKNYFP	HDFLNYMS
BBYLNYBN	CLTNNYZI	CUBANYEM	FRDLNYFM	HDSNNYHD
BECNNYBE	CLVLNYCK	CYTNNYZY	FRHDNYFH	HHFLNYHF
BGFLNYBF	CLVRNYCV	DBFYNYDF	FRPTNYFP	HLLDNYHO
BLLNNYBG	CLYDNYCY	DLGVNYDG	FSHKNYLD	HLLYNYHE

HMBGNYHB	LFYTNLYF	MNTINYMT	NYCKNYKP	NYCQNYOP
HMPSNYHS	LKGRNYLR	MOIRNYMY	NYCKNYRA	NYCQNYRH
HMTNNYHA	LKPCNYLA	MORVNYMO	NYCKNYTY	NYCRNYNS
HNDLNYHI	LNCSNYLC	MRTWNYMW	NYCMNY13	NYCRNYSS
HNSTNYHU	LNNGNYLG	MSPQNYMP	NYCMNY18	NYCXNYCR
HNTRNYHN	LRMTNYLA	MSSNNYMQ	NYCMNY30	NYCXNYGC
HOMRNYHM	LSTNNYLW	MTKSNYMK	NYCMNY36	NYCXNYHO
HRFRNYHR	LTFLNYLS	MTVRNYMV	NYCMNY37	NYCXNYKB
HRKMNYHC	LTHMNYTS	NCHLNYNL	NYCMNY42	NYCXNYTB
HRNLNYHL	LTVYNYLI	NCLNNYNO	NYCMNY50	NYCXNYTR
HRSNNYHN	LYBRNYLB	NGFLNY76	NYCMNY56	OKFDNYOK
HRVLNYHV	LYNSNYLY	NGFLNYPO	NYCMNY73	OKHLNYOH
HRWKNYHW	MACDNYMC	NGFLNYWO	NYCMNY79	OLENNYHA
HSFLNYHS	MAINNYME	NGRNNYNG	NYCMNY97	ONEDNYOD
HSHDNYHH	MALNNYMM	NROSNYNR	NYCMNYBS	ONNTNYOA
HYPKNYHK	MARNNYMR	NSYRNYNS	NYCMNYCA	ONTRNYON
ILINNYIL	MARVNYMV	NWBRNYNW	NYCMNYMN	ORBGNYOB
ITHCNYIH	MCDGNYMD	NWBRNYWT	NYCMNYTH	ORPKNYST
ITHCNYPG	MCGRNYMG	NWFDNYNF	NYCMNYVS	OSNGNYOS
JAVANYJA	MCHVNYMC	NWFNNYMA	NYCMNYWA	OSWGNYOS
JHCYNYJC	MCLNNYMZ	NWPLNYNP	NYCMNYWS	OTEGNYOT
JNVLNYJV	MDPTNYMP	NWRCNYNR	NYCQNYAS	OWEGNYOW
JRDNNYJD	MEDNNYPA	NWRKNYNK	NYCQNYBA	OWSCNYOO
KENDNYKD	MEXCNYMX	NYACNYNK	NYCQNYBH	PCHGNYPH
KGTNNYKG	MHPCNYMP	NYCKNY14	NYCQNYCO	PERUNYPE
KRHNNYKR	MINLNYMI	NYCKNY77	NYCQNYFH	PGHKNYSH
KTBANYKB	MINONYMI	NYCKNYBR	NYCQNYFL	PGHKNYSP
KTNHNYKA	MLFRNYMU	NYCKNYBU	NYCQNYJA	PHLANYPF
LCPTNYLK	MMRNNYMA	NYCKNYCL	NYCQNYLI	PHMTNYPM
LFRVNYLE	MNHSNYMH	NYCKNYFA	NYCQNYNW	PJSTNYPJ
PKSKNYPS	SCHNNYSC	TKHONYTU	WSNCNYUN	

PLBGNYPB	SCHRNQYH	TLLNYTY	WSVLNYNC
PLMYNYPY	SCHVNYQN	TNWNNYTW	WTGLNYWG
PLVLNYPL	SGRTNYSG	TROYNY03	WTPTNYWR
PNYNNYPN	SHSPNYQS	TROYNY04	WTRLNYWT
POMNNYPO	SHVLNYSV	TRTWNYTT	WTTWNYUN
PPRGNYPP	SKNTNYSE	UNSPNYUS	WVRLNYWV
PRDYNYPD	SLCKNYSI	UTICNYUT	WWVLNYWW
PRISNYPA	SLDNNYSE	VLFLNYVF	YNKRNYYN
PRRVNYNP	SLMNNYWW	VRBGNYVB	YNTWNYYT
PRTVNYPV	SMFRNYQM	VRHVNYVR	YRTWNYYT
PRVINYPR	SMTWNYSM	WBYNNYWE	
PSVLNYPV	SNFLNYSL	WDMRNYFR	
PTSDNYPS	SODSNYSD	WDPTNYWT	
PTTWNYPI	SPVLNYWM	WDSTNYWS	
PTVYNYPY	SPVYNYSV	WERLNYWL	
PTWANYPW	SRLKNYQL	WHBONYWP	
PVYDNYPD	SRSPNYSR	WHPLNYWP	
RCSPNYRS	SSCHNYSO	WHTHNYUH	
RCVLNYRH	SYBHNYQY	WLBONYUB	
RDCKNYRC	SYOSNYSY	WLCTNYWC	
RNKNNYRN	SYRCNYDD	WLSNNYME	
RNLKNYRL	SYRCNYEP	WLVLNYNM	
ROMENYRM	SYRCNYGS	WMSNNYWN	
RSVLNYRV	SYRCNYJS	WNHMNYWM	
RVHDNYRV	SYRCNYSY	WNKHNYWK	
RXBYNYRX	SYRCNYSU	WNTGNYWT	
SALKNYQT	SYVLNYSY	WPFLNYWF	
SAVNNYSN	TCNDNYTI	WRBGNYWU	
SBTHNYSB	THRSNYTH	WRCSNYUC	

150121 (Frontier-Rochester)

ATLNNYXA	NPLSNYXA
AVONNYXA	NUNDNYXA
BCPTNYXA	PNFDNYXA
BITNNYXA	PRRYNYXA
BRGNNYXA	PVLNNYXA
CANDNYXA	ROCHNYXB
CCVLNYXA	ROCHNYXC
CHCNXYXA	ROCHNYXD
CLDNNYXA	ROCHNYXE
CSTLNYXA	ROCHNYXF
DNSVNYXA	ROCHNYXG
ERCHNYXA	ROCHNYXH
FAPTNYXB	ROCHNYXJ
FRTNNYXA	ROCHNYXK
GENSNYXA	SCVLNYXA
HMLCNYXA	SPWRNYXA
HMLNNYXA	VCTRNYXA
HNRTNYXA	WBSTNYXA
HOFLNYXA	WBSTNYXB
LCSRNYXA	WRSWNYXA
LIVNNYXA	WYLDNYXA
LROYNYXA	
MTMRNYXA	

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_____)	

Declaration of Donald Manning

I, the undersigned Donald J. Manning, do hereby declare under penalty of perjury as follows:

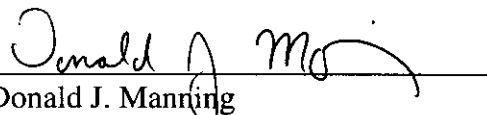
1. I serve as Vice-President and General Counsel for Nextel Partners, Inc. ("Nextel Partners") and each of its subsidiary companies, including, but not limited to, NPCR, Inc. d/b/a Nextel Partners and Nextel Partners of Upstate New York, Inc. d/b/a Nextel Partners.
2. Nextel Partners of Upstate New York, Inc., like NPCR, Inc. is a wholly-owned, operational-arm subsidiary of Nextel Partners Operating Corp., which is a wholly-owned, operational subsidiary of Nextel Partners, Inc. Nextel Partners of Upstate New York, Inc. also does business in the State of New York as "Nextel Partners."
3. Nextel Partners, Inc. is a publicly-traded company with its common stock listed on the Nasdaq market, and is broadly owned by both institutional and individual investors.
4. Nextel Partners, Inc.'s President is John Chapple. Vice Presidents include Don Manning, Perry Satterlee, John Thompson, Mark Fanning, and Dave Aas. Entities with 5% or more equity positions with Nextel Partners, Inc. include: Credit Suisse First Boston through several funds held by DLJ Merchant Banking, Madison Dearborn Partners, Wellington Management Co., Eagle River Investments, Motorola, Cascade Investments (an investment company controlled by William H. Gates, III), and Nextel Communications, Inc.
5. This Declaration is submitted to update and supplement my declaration submitted in support of Nextel Partners' "Petition for Designation As an Eligible Telecommunications Carrier," filed April 3, 2003 at the Federal Communications Commission (the "Petition"). The declarations and certifications made in this Declaration reiterate those made in the original Petition on behalf of NPCR, Inc., and are made herein on behalf of Nextel Partners of Upstate New York, Inc., the corporate entity substituted for NPCR, Inc. in the Petition. Hereinafter, references to "Nextel Partners" in the Petition, and in this Declaration, refer to Nextel Partners of Upstate New York, Inc. unless otherwise specifically indicated.

6. I hereby declare and certify as follows, and as described in the aforementioned Petition, that: Nextel Partners offers, or will offer, all of the services designated by the FCC for support pursuant to Section 254(c)(3) of the Act; that Nextel Partners offers, or will offer, the supported services using its own facilities; and that Nextel Partners advertises, or will advertise, the availability of supported services and the charges therefore using media of general distribution as described in the annexed Petition.

7. I further declare that I have reviewed the Petition as originally filed at the Federal Communications Commission on behalf of NPCR, Inc. on April 3, 2003 (and as amended in the filing annexed hereto to reflect Nextel Partners of Upstate New York, Inc. as the Petitioner) and that the facts stated therein, of which I have personal knowledge, are true and correct to the best of my knowledge and belief.

8. I further declare that to the best of my knowledge, Nextel Partners, including all officers, directors, or persons holding 5% or more of the outstanding stock or shares (voting and/or nonvoting) of Nextel Partners as specified in Section 1.2002(b) of the Commission's Rules are not subject to denial of federal benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.


Donald J. Manning
Vice President and General Counsel
Nextel Partners of Upstate New York, Inc.
d/b/a Nextel Partners

Dated: May 26, 2003

CERTIFICATE OF SERVICE

The undersigned, an attorney in the law firm of Catalano & Plache, PLLC hereby certifies that on this 28th day of May, 2003, a true and correct photocopy of the foregoing "Amendment" was sent by hand delivery to the following persons:

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Ronald J. Jarvis